

### **REMARKS/ARGUMENTS**

The Applicants herewith submit a Declaration of Kam Leong Under 37 C.F.R. § 1.132 in which Mr. Leong, a co-inventor of the above-captioned application, declares unequivocally that

- (i) Mr. Leong is a co-inventor of published U.S. application no.: 2002/0155092 (the '092 application) and of U.S. patent no.: 6,485,737 (the '737 patent); and
- (ii) Any substantive matter claimed in the above-captioned application and also described but not claimed in the '092 application or in the '737 patent was conceived by or derived from Mr. Leong.

In particular, the substantive matter conceived by or derived from Mr. Leong, and described in the '092 application or in the '737 patent, includes matter relating to phosphorus-containing polymers.

Accordingly, pursuant to M.P.E.P. § 716.10, neither the '092 application nor the '737 patent are applicable as prior art against subject matter claimed in this application. Indeed, the Examiner so indicates in paragraphs 8 and 15 of the July Office Action.

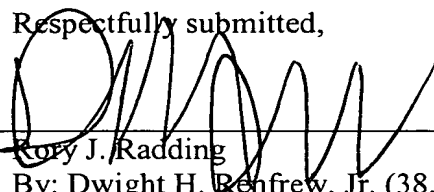
Therefore, it is requested that the rejections under 35 U.S.C. § 102(e) as being anticipated by the '092 application and the rejections under 35 U.S.C. § 103(a) as being obvious over the '092 application be all withdrawn.

### **CONCLUSION**

The Applicants respectfully request entry of the foregoing remarks and attached Declaration into the file of the above-captioned application. The Applicants believe that each ground for rejection or objection has been successfully overcome or obviated and that all the pending claims are in condition for allowance. They earnestly request reconsideration and withdrawal of the Examiner's objection and rejections and allowance of the application.

Appl. No.: 10/000,297  
Suppl. Amdt. filed January 8, 2004  
Reply to Office action mailed July 17, 2003

If any issues remain, the Applicants invite the Examiner to telephone the undersigned to discuss the same and to arrange for prompt and efficient handling of the above-captioned application.

Respectfully submitted,  
Date: January 8, 2004 By:  28,749  
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